

they certainly deserve our great respect and thanks for all the work they have done to get us to this point.

As the Senator from West Virginia just said, this bill absolutely must be signed tonight. It is our intention to see to it that that takes place. I do give both the Senator from Oregon and the Senator from West Virginia great credit for what they have done and the manner in which they have handled this bill.

As a postscript, I also say I certainly do agree with the Senator from West Virginia—and I think the Senator from Oregon does too; I know he does—this is not the way to handle appropriations bills, and we must find a way to deal with our procedure to assure that bills from appropriations committees, that each bill is considered on its own merits and it goes to the President in a way that expresses the will of the Congress, and the President can express the will of the executive branch. Under our traditional system of checks and balances, that must be preserved in order to assure the freedom of this country. So I intend to work with the Senators to achieve that goal. I do, again, apologize to them for seeking the floor ahead of them because I know they are entitled to present their positions in the very beginning.

CONFERENCE REPORT TO ACCOMPANY THE FEDERAL AVIATION AUTHORIZATION ACT OF 1996

Mr. STEVENS. Mr. President, I come to the floor today to again address the question of the failure to approve the conference report on the aviation trust fund. This is the Federal Aviation Authorization Act of 1996.

Mr. President, the bill before us contains the funding for the Government. We have already dealt with the appropriations for transportation. But the conference report on the Aviation Authorization Act for 1996 contains the authority to spend the money. There currently is just \$50 million, out of a \$1.46 billion program, left after today to continue the work of the modernization of our airports and airways. We have worked now 2 years—a bipartisan group—to try and improve the safety and security of the Federal aviation system.

I give great credit to the chairman of the Commerce Committee, Senator PRESSLER, the ranking member, Senator HOLLINGS, and to the chairman of the aviation subcommittee, Mr. MCCAIN, and the ranking member of that committee, the distinguished Senator from Kentucky, Mr. FORD. We have, many of us, had differences of opinion on the bill. But we found a way to work it out. This bill is absolutely necessary now to proceed to strengthen the safety and security of the aviation transportation system. I am here this morning to again serve notice to the Senate that this bill must be passed before we adjourn sine die. Again, let me say, there is only \$50 million left in

this fund that can be expended after today.

What we are looking at, Mr. President, is a bill that has been crafted in order to meet some very important objectives of people who are very much involved with the issues of aviation safety. Let me point out, for instance, that just this past week we, once again, had a hearing with regard to the rights of those people who are survivors of victims of air disasters.

Mr. SIMON. Will my colleague yield?

Mr. STEVENS. I am not prepared to yield during this statement, Mr. President. I don't intend to take much time. I want to alert the Senate—and I know the Senator from Illinois has a matter he wishes to bring up that is quite similar to what I am talking about. But I would like to finish my statement.

We had Victoria Cummock, a survivor of a victim of the Pan Am crash. She has done a great deal to alert families who have been similarly affected of the need for Federal legislation to deal with family assistance to those that are affected by these crashes, the survivors of the victims of the crashes.

One of the things they asked us to do was to pass House bill 3923. And as I said at the hearing, I don't intend to get too personal about this, but I personally know something about victims of air crashes. I know that it is necessary for us to wake up and make sure that the Federal law does assure assistance to families of passengers involved in aircraft accidents. This bill does that. The aviation bill does that.

The bill that is in the conference report that is being held up now over one provision in the bill. It requires the Chairman of the National Transportation Safety Board to designate and publicize the name and phone number of a director of family support services to designate an independent nonprofit organization, such as the Red Cross, to assist in the taking of responsibility for coordinating the emotional care and support for those families. It has a substantial designation of assistance, such as providing mental health and counseling services, to provide it in the environment in which families may grieve in private, meet with families, communicate with families as to the role of Government agency, and arrange for a suitable memorial service after consultation with the families.

It is a bill that is absolutely necessary, as we think of the number of families that have been affected by these air carrier crashes. It will provide that unsolicited communication concerning a potential action for personal injury can't be made before 30 days after the accident. It does have a requirement that the air carrier submit plans to address the needs of families if their aircraft is involved in an accident. There is absolute necessity for this bill to pass. It establishes a task force within the Department of Transportation to assure that this will be done.

Mr. President, my main reason for addressing the issue, though, is the problem of safety at our airports. The Aberdeen, SD, runway has almost closed for safety reasons. It has no carryover money. It has to have this bill passed today so that money will be available tomorrow. In my capital city of Juneau, we have a wind shear problem. It has recently developed that the FAA wishes to change the takeoff requirements and will not allow a plane to take off until they can prove there are no wind shears in the community.

We have in this bill the authorization for the money to take wind shear equipment to Juneau. This is just one of the items. In Massachusetts, for instance, as a result of formula changes in this bill, the Commonwealth of Massachusetts will receive \$3.5 million more under its entitlement, which is nearly \$1.4 million greater than what it gets now. But its Boston airport entitlement and Nantucket entitlement both increase. In the State of Wisconsin, they would have an apportionment of \$1.9 million more in entitlement for the airports. In Wisconsin, for instance, Madison's airport—a very interesting area—needs the money to proceed with the improvements to their airports. This bill is not only airports, but we are talking about security provisions.

We have changed, as a result of the bill that I wish to have brought up and passed today, the provisions for the authority to check criminal records for security screeners at airports; given new authority for the FAA to facilitate interim deployment of advanced aviation security technology, including the explosive detection equipment that we must have. They can make and will make vulnerability assessments of every airport in the country, and they are going to deal with new ways to develop passenger profiling. But above all, they are going to have the national academy of science work on the explosive detecting and aircraft hardening technology.

This bill cannot wait until we get back next year and organize and get around to passing bills. It would be, roughly, February 15, at the earliest, before that could be done. Under the essential air service, which is absolutely essential to maintain transportation in my State and many of the Northern States, funds could not be taken from the trust fund if this bill does not pass. There is only a 1-month carryover, which means that all of our planes that are involved in essential air service will be grounded before December if this bill does not pass.

This is the most critical bill that I can think of in terms of aviation safety. I have a whole list of items here that deal with the security requirements that are funded by this bill. Huntsville, AL; Fort Lauderdale; Fort Myers; Orlando; St. Petersburg; in Atlanta, Savannah; Valdosta, GA; Lexington, KY; Greensboro, NC; Wilmington, NC; Chattanooga, TN; Nashville,

TN; in Illinois, the Springfield capital security fencing is absolutely required that it be fixed. That money is not there unless this bill passes today. It will not be there until the second quarter of the fiscal year, at the earliest.

In Minnesota, there is a firefighting building provided for. I believe that is very much associated with security.

When we go through all of these, Ohio has the largest number of security requirements in the country that are funded by this bill. In Racine, WI, there are obstructions on the field that must be removed. It has one of the highest priorities in the country to deal with this.

I made a mistake; I said Ohio had the highest number. California has the highest number of security requirements and facilities that are funded by this bill.

Mr. President, the question comes down to, "How can we get this bill up?" There are ways, Mr. President, that we can delay the present bill until the FAA bill is brought up. I do not want to do that. I appreciate, as I have already said, the work done by the leaders of our Appropriations Committee, and the joint leadership of the Congress, to see to it that there is no hiatus in funding in terms of our National Government at this time.

But the FAA bill comes before us when the country has been rocked with aviation tragedies. ValuJet is just starting to fly today. That reminds all of us of the tragedy in Florida. We still have the unexplained TWA Flight 800. We have all kinds of speculation concerning that. In the wake of the tragedy, the White House had a commission chaired by the Vice President. Many of those recommendations are in our bill. We have added to them considerably.

But, clearly, the explosive detection devices are No. 1 in regard to our joint effort to find a way to upgrade our security at our Nation's airports.

Mr. President, there is a small group of Senators that are delaying this bill because of one provision. It is just as easy for them to come in here next year and repeal that. That will not be difficult. If they have the votes to repeal it, they can repeal it next year.

The idea of delaying the safety of the Nation over one amendment—I must say, it was an amendment offered on the other side of the aisle, which most of us on this side of the aisle supported, but it is a provision that corrects a technicality in the law. And the law that was passed by Congress, as I understand it, was a mistake in the law.

But, in any event, why this bill? Why can't these Senators find a way to meet their objectives without putting the Nation's safety at risk?

I want the Senate to know that if this bill does not pass, I am going to see to it that the survivor of every victim gets the personal telephone number of the people that oppose this bill. I urge people involved in this victims' rights committee to get on the phone and call these people right now.

There is no reason for this delay. We have tried our best to work out a problem here with regard to aviation safety, and it is the basic problem which brought us to the point that we are here today; that is, that we were in disagreement as to how to finance future additions to the trust fund. There was no dispute among Members of the Senate over what we had to do to meet the security requirements, or what we had to do to find a way to increase funding. It was as to how we were to do it.

We have had disagreements whether we should have taxes, or whether we should have a new entity that replaces the aviation trust fund, or whether we should have new fees and find new funding mechanisms. The question was not whether we needed more money to modernize our system and improve safety, and particularly deal with the increased terrorist threat. The question was how to get that money. That is a separate issue, but it is not the issue that is delaying this bill.

What is delaying this bill is about three sentences in the bill that deal with an error which was made in the ICC bill passed through the Congress. I understand that some people are very disturbed about that. I have heard from some people in my State who are very disturbed about that. But my answer to them has been, look, this bill means Juneau will reopen. This means that the people who are in these areas where the money will run out will not face a closure of their airports as Juneau has been placed—it means that the essential air services will continue. And we will not have to notify the people in 170 villages in my State that, "I am sorry, you can't have Christmas transportation because the money has run out. Two or three Senators objected to a bill."

There is a procedure here, Mr. President, so that we can continue. I ask the leadership to join together and notify us. We will stay in session until we pass the FAA bill. A procedure has to be followed. It is a cloture procedure. It can take a series of days, and it will be a severe inconvenience to many Senators. But what is inconvenience to the Senators as compared to having additional crashes in this country?

I usually don't speak—I do speak loudly and angrily, but I do not speak with such personal involvement, Mr. President. I cannot conceive that anyone would stand in the way of passing legislation that might—I can't say it will, but it might—lead to the installation of safety equipment which would prevent an aircraft crash in this country.

I intend to be back and back. I seek the assurance of the leadership that we will stay in session to pass this bill. It means tomorrow, Wednesday, and probably Thursday before we can get it done. But this Senator is prepared. And I am a candidate. I would like to go home. I am prepared to stay here as long as it takes to convince these Senators that we have the authority in our

rules to go around two or three Senators to get a bill passed. It may well be that.

I also urge leadership not to accept the objection of any absent Senator. Two of these Senators are not here, and they are sending in objections. I am going to start reading off their names the next time. If I have to come to the floor, starting tomorrow I am going to talk about the Senators personally who are obstructing the passage of a bill that is absolutely necessary in the interest of the safety of this country.

Mr. DORGAN. Will the Senator yield?

Mr. STEVENS. I yield the floor. Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I ask unanimous consent to proceed as if in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SIMON. Mr. President, if I may have the attention of my colleague from Alaska, I agree with 99 percent of what he had to say. What happened, Mr. President, is that in conference on this very vital bill—and the Senator from Alaska is correct when he says this is a vital bill—in conference, a matter where the Congress injects itself into a labor-management issue of one corporation, an amendment that was defeated 10 to 10 in Appropriations Committee when it came up.

Mr. STEVENS. What was that?

Mr. SIMON. This is the labor-management issue that was added on. And just so there is no misunderstanding, Mr. President, I will introduce for myself and Senator KENNEDY the FAA bill with this provision stripped. I am just going to leave it at the desk. I am not asking unanimous consent to move it ahead.

Clearly, this ought to pass, but we should not at the last minute with using the cover of FAA inject ourselves into a labor-management issue that has been rejected by Congress before, and all of a sudden in the last minute we are trying to get it passed. That is not the way to do things. We ought to have hearings. If Congress wants to get in the middle of this labor-management fight, let us do it after hearings; let us do it very, very carefully.

Several Senators addressed the Chair.

Mr. DORGAN. Will the Senator yield to me?

Mr. SIMON. I am pleased to yield to my colleague from North Dakota.

Mr. DORGAN. Mr. President, there are a couple of ways for the Senate to resolve this issue. One is a cloture vote that prevails, and the other is for the provision that is currently in the legislation to be withdrawn.

I want to point out that the Congress, in my judgment, does not have the luxury of adjourning and leaving

this session of Congress not having resolved this issue.

Mr. SIMON. I agree with my colleague.

Mr. DORGAN. I agree with the Senators from Alaska and Illinois, and others who are dealing with the question of aviation safety and aviation security. We have worked on this bill for a long, long while.

This bill is critically important. Whatever needs to be done must be done, because I am joining the Senator from Alaska and others to prevent the Congress from finishing its work if they believe that they can allow this Congress to end its session without advancing this bill. This bill needed to be done this year. It must be done now. Whatever can be done to resolve this issue has to be done soon.

I heard the Senator from Alaska on Saturday come to the floor. I also spoke a bit on this. I talked to Senator LOTT, the majority leader. I have talked to the minority leader. I visited with Senator MCCAIN this morning, who has a role in this. I visited half a dozen times with Senator WENDELL FORD of Kentucky.

We must solve this problem. The failure to do so will mean that this will not be a very orderly ending to this session because this involves the safety and security of the people who fly in this country. This Congress cannot end its work without solving this issue.

Mr. SIMON. Mr. President, I could not agree more with the Senator from North Dakota. The question is, Are we going to take some amendment that was not either in the House bill or the Senate bill where we move in and say we are going to take sides in a labor-management dispute? I frankly do not know whether the corporation or the labor union is right. But I do not think we ought to be moving ourselves into the middle of this thing. So, Mr. President, I offer this bill on behalf of Senator KENNEDY and myself.

The PRESIDING OFFICER. The bill will be received.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I certainly will yield to the Senator from Arizona, but I just want to say passage of that bill will kill the bill. The House is not in session.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, let me express my deep disappointment that the Senator from Illinois would do this at this time. I am a great admirer and friend of the Senator from Illinois, but I am telling you, I say this in all candor to the Senator from Illinois, you are putting in jeopardy the very lives of American citizens who fly on airlines today. You know that this was a simple mistake, a drafting error, in the Interstate Commerce Commission Termination Act of 1995 that is being corrected here. That is why the Senator

from Kentucky, the Senator from North Dakota, the Senator from South Carolina, and all of us on the committee literally unanimously supported this amendment.

I say to the Senator from Illinois, you are going to cause grave danger not only to American citizens, the men and women and families who will be making use of the airlines as passengers both domestically and internationally, but you will also prevent the much-needed funding for airport improvements and security all over America including the State of Illinois. I'm talking about over \$9 billion annually for national needs such as air traffic control; repair, maintenance, and modernization of our air traffic control equipment; repair and construction of runways, taxiways, and other vital aviation infrastructure; the purchase of critical firefighting equipment at our Nation's airports and the list goes on and on.

In fact, I will show the Senator from Illinois—and I will be glad to yield to him for a response. The Senator from Illinois should understand that in his State there is over \$25 million in funding for improvements in the aviation system in his State which is badly needed. I do not believe there would be that \$25 million, over \$25 million, in improvements which are badly needed in his State, which he is now placing in jeopardy by not allowing this aviation funding bill to go forward.

I understand the clout that labor has on that side of the aisle. I understand that. I have seen it. I understand it. I know it. I am seeing it today in the form of a lot of television commercials that are being run all over the country in opposition to some of my friends on this side of the aisle. But I say to the Senator from Illinois that he is making a very serious mistake here. The Senator from Illinois has had a very distinguished career in the Senate. As I said, he has my true respect and friendship, and it is clear he has the respect of all our colleagues. The little thing we did with the bow ties the other day here in the Senate Chamber was a graphic demonstration of the enormous affection in which we hold the Senator from Illinois.

I ask the Senator from Illinois—and I will be glad to yield to him without losing my right to the floor in just a minute. I urge the Senator from Illinois not to get out in front on this. This is the Senator from Massachusetts doing; we all know it. We know it is the Senator from Massachusetts, Senator KENNEDY, who is leading the opposition to this. If the Senator from Massachusetts wants to come to the floor and deny that, I will be more than happy to yield to him for those purposes. But I urge the Senator from Illinois to understand that what we are talking about here is airline safety, airport security, ensuring that our Nation's airports will be adequately funded, and most important providing for thorough reform, including long-term

funding reform, of the FAA to secure the resources to ensure we continue to have the safest, most efficient air transportation system in the world. I say to my friend from Illinois, that is what is so important in the FAA reauthorization bill—that is what is in this bill. We are talking about the aviation safety and the lives of American citizens, millions and millions of whom are using our airlines each and every day. In fact by the year 2002, more than 800 million passengers per year will be flying the Nation's skies—a 35-percent increase over today's levels. We are also talking about much-needed funding for the State of Illinois, the State of Arizona, the State of Kentucky, the State of Alaska, the State of South Carolina, the State of Massachusetts, and others.

I also wish to remind the Senator from Illinois that in the FAA reauthorization conference, the amendment was proposed by the Senator from South Carolina, Senator HOLLINGS, not by myself or the Senator from Alaska, Senator STEVENS, but it was Senator HOLLINGS, strongly supported by Senator FORD, who I think is unequalled in his advocacy for the people he represents. I think it would be a serious mistake for you to continue in your opposition to this critical aviation safety legislation.

Mr. President, I ask unanimous consent to yield the floor to the Senator from Illinois without sacrificing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON. Mr. President, as my colleague from Arizona knows, I have great respect for him and the significant contribution he has made in so many areas. Everything he says about the necessity for passing this bill is correct. But what we are doing in this labor-management provision is bypassing the committee of jurisdiction.

I remind the Senator from Arizona—I do not think he was here when I mentioned it—this particular amendment was tried on the Appropriations Committee, was defeated in a 10 to 10 vote in the Appropriations Committee. It is a matter of real controversy. It injects the U.S. Congress into a labor-management dispute. I do not know which side is right, but I know that the committee of jurisdiction has not had a hearing on this; that the committee of jurisdiction has not acted, and all of a sudden we are adding this amendment.

I do not think that is the way we ought to legislate. As far as my friend from Alaska saying the House is not in session, the House continues to be in session. They are not going to have any more votes. If we pass this without this amendment, it will clear in the House without any objection whatsoever. The Senator from Arizona knows that. The question is not whether the FAA bill should pass. The question is whether it should pass while we insert ourselves into a labor-management dispute that maybe someone in the Chamber knows more about than I do. I do not know

that much about it. But I do not think we have any business getting ourselves in the midst of that thing.

I thank my colleague for yielding.

Mr. FORD. Mr. President, will the Senator from Arizona allow me to ask the Senator from Illinois a question without his losing his right to the floor?

Mr. MCCAIN. Mr. President, I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. I say to my friend from Illinois, is he aware that this piece of legislation, on this amendment he is referring to, was in the ICC statutory provisions prior to the reorganization and putting ICC in the Department of Transportation?

Mr. SIMON. Mr. President, I have to tell you I do not know much about the history of this at all other than I know we are injecting ourselves into this labor-management dispute, which we should not be doing.

Mr. FORD. In the legislation also, I say to my friend from Illinois, there is a statement which says that it shall not be narrowed or broadened; it should remain the same. With that language as it relates to the transfer of ICC, that means everything will stay the same. The bill would not have gotten out of conference, in my judgment, if this amendment had not been on it. Now we find, with an amendment on it, it may not get through Congress. So all of us were in a catch-22 position. But it is very obvious from the legal aspects—I am not a lawyer, but I am on the jury—all of the legal experts say that the express part of the ICC has been used, has been used several times, has been tested.

So leaving this out of the legislation is what persuaded some of us to try to be helpful. I want to get the bill passed. I understand that. But I think you will find that the scorched Earth policy is one that will just keep us here for a while. The Senator from Alaska, even though he is a candidate—he is up for reelection—is willing under the circumstances to encourage his leadership for us to stay here.

The point is, does the fight get completed in a reasonable time or do we have the fight prolonged? I hope, if we are going to have the fight, that the Senator and his colleagues, the two or three others, whatever number it might be, give us an opportunity to have a cloture vote tomorrow and proceed with the passage of this legisla-

tion or the defeat of it. I hope he will get in that posture so we can do these things the bill purports to do and we can go on home.

I thank the Chair, and I thank my colleague from Arizona.

Mr. SIMON. If my colleague will yield for 1 minute.

Mr. MCCAIN. I ask unanimous consent to yield to the Senator from Illinois without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON. I am not trying to obstruct this thing. I hope we can work out a reasonable answer. I think the reasonable answer is that this piece of labor-management legislation ought to be considered by the Labor and Human Resources Committee when the Senate comes back into session, not stuck on a bill that was neither in the House nor the Senate. All of a sudden we are injecting ourselves. I do not think that is the way to legislate.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I finally ask unanimous consent to yield to the Senator from South Dakota for 1 minute without losing my right to the floor.

Mr. PRESSLER. Mr. President, I want to commend the Senators from Kentucky and Arizona for their great efforts and to say I will certainly stay here as long as it takes to pass this bill.

This bill is critical to pass. In my little State of South Dakota, for example, we have all the essential airport funding, we have the Federal Aviation flight service, and small States that have small airports depend on the airport trust fund. This will be a disaster to air safety across the United States. It will be a disaster to everything we have been talking about since the major air crashes that have occurred, if we cannot pass this bill.

I am privileged to chair the Commerce, Science, and Transportation Committee. Our committee, on a bipartisan basis, on a motion from our ranking member, agreed to this amendment. It was a bipartisan effort. We must pass this bill. We have worked it out in our committee. It was a long-fought, hard-fought bill, and we must pass it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from South Dakota, the

distinguished chairman of the committee, without whose leadership and without whose enormous efforts we would not be where we are. Have no doubt, Mr. President, about the magnitude of this bill. In less than 14 hours the Federal Government's authority to provide critical funding to airports across the country and our national air transportation system, including safety and security, will expire, unless we pass the FAA reauthorization bill.

Before the Senator from Kentucky leaves, I wish to thank him for everything he has done. His efforts are inspiring to us all.

You know, Mr. President, the lesson in this legislation is that without bipartisan effort, including working with the Administration, especially Ms. Linda DASCHLE, the Deputy Administrator of the FAA, we would not have this legislation before us. It was truly a pure, bipartisan effort, a product of 2 years of hard work, compromise, and literally hundreds and hundreds of hours of meetings. I believe that we cannot—we cannot allow it to be derailed at this time. This would be unconscionable.

To start with, I want to correct my previous statement to the Senator from Illinois. I am sorry he has had to leave the floor. I was wrong in \$25 million. The real number is, for the State of Illinois is more than \$30 million which will be authorized for the State of Illinois. Specifically: \$9 million is for Chicago O'Hare Airport, \$1.8 million is for Chicago Midway Airport, \$1.1 million is for Quad-City Airport in Moline, \$860,000 is for greater Peoria Airport, \$690,000 is for the University of Illinois in Champagne/Urbana, \$670,000 is for the Capital Airport in Springfield, \$525,000 is for Bloomington Airport, \$500,000 is for Greater Rockford Airport, \$500,000 is for Decatur Airport, \$500,000 is for Merrill C. Meigs Airport in Chicago, \$500,000 is for Quincy Municipal Airport, \$500,000 is for Williamson County Airport in Marion—the list goes on and on.

I ask unanimous consent that the primary airport projects for fiscal year 1997 that will require entitlement funding for the State of Illinois, which is now being placed in jeopardy, be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Rank and LOCID	Airport	City and State	PFC	1997 final entitlements after adjustments (Est.)	Conference
1 ORD	Chicago O'Hare International	Chicago, IL	#	\$8,725,060	\$8,615,751
39 MDW	Chicago Midway	Chicago, IL	#	1,656,606	1,824,208
146 MLI	Quad-City	Moline, IL .....	.....	849,849	1,061,523
171 PIA	Greater Peoria Regional	Peoria, IL .....	.....	688,534	860,028
203 CMI	University of Illinois	Champaign/Urbana, IL .....	.....	552,236	689,783
209 SPI	Capital	Springfield, IL .....	.....	533,829	666,791
233 BMI	Bloomington/Normal	Bloomington/Normal, IL .....	.....	416,576	520,333
239 RFD	Greater Rockford	Rockford, IL .....	.....	400,297	500,000
321 DEC	Decatur	Decatur, IL .....	.....	400,297	500,000
329 CGX	Merrill C. Meigs	Chicago, IL .....	.....	400,297	500,000
368 UIN	Quincy Municipal Baldwin	Quincy, IL .....	.....	400,297	500,000
399 MWA	Williamson County	Marion, IL .....	.....	400,297	500,000

Mr. MCCAIN. Let us also be very clear. According to the Senate Finance Committee, absolutely no money can be spent out of the aviation trust fund without passage of this bill. Title X of the bill provides authority for money to be spent out of the aviation trust fund. That means—I want to repeat for the benefit of my colleagues—no money for aviation safety; airport security; air traffic control repair, maintenance, and modernization; repair and construction of runways, taxiways, and other vital aviation infrastructure, the purchase of firefighting equipment at our airports, Terminal Doppler Weather Radar, Airborne Collision Avoidance Systems, and research and development of new explosive detection equipment, can not be spent without this bill being passed. There is a great deal at stake here.

I emphasize, again, this is not a partisan bill. This is a bill that was worked out with the full cooperation of the administration, including the White House, the Department of Transportation, the Federal Aviation Administration, the National Transportation Safety Board, the Office of Management and Budget, the Department of Defense, the Environmental Protection Agency and others—a partnership with Senator FORD, Senator HOLLINGS, and the chairman of the committee, Senator PRESSLER. But I say to my colleagues that we will not make very critical and vital changes to aviation safety and security and thorough reform of the FAA unless we pass this bill.

Again, I point out that the technical correction amendment, which was put on the bill by the Senator from South Carolina, Senator HOLLINGS, in conference, was to correct a drafting error in the Interstate Commerce Commission Termination Act of 1995, that is acknowledged to have been a mistake and nothing else. It should have been included in the original ICC bill.

Let us have no illusion about what is going on here. What is going on here is that organized labor is flexing their muscles so they can prevent a technical correction which is being made to correct a drafting error that was made in previous legislation. Let us have no doubt—no doubt at all what we are talking about here.

Mr. President, I think it is important that we talk about what is being included in this bill as far as aviation safety and security is concerned. It ensures that the FAA and our Nation's airports, as I mentioned, will be adequately funded. I'm talking about over \$9 million annually for national aviation related needs such as air traffic control. But some of the other critical aspects of this legislation are that it directs the National Transportation Safety Board to establish a program to provide for adequate notification of and advocacy services for the families of victims of aircraft accidents.

I think we know the problems associated with the recent TWA 800 explosion

in New York and the ValuJet crash in Miami and how mishandled the notification was to the families in these tragedies. We need to correct that now. We do not need to wait until next year or the year after. We need to correct the problem, and we do it in this legislation.

This legislation will enhance airline and air travelers' safety by requiring airlines to share employment and performance records before hiring new pilots.

We do this in this bill. We found out, in a previous accident of an American Airlines commuter aircraft, that a pilot did not have adequate training of the kind that was necessary to make sure that the lives of the passengers were not endangered. Indeed, they were all killed. One of the reasons, in the conclusions of the National Transportation Safety Board, was that American Airlines did not have sufficient access to their employment and performance records from a previous employment with another airline.

Additionally, this legislation will make sure that the FAA gives high priority to implement a fully enhanced safety analysis system, including automated surveillance. It bolsters weapons and explosive detection technology through research and development. It improves standards for airport security, passenger baggage and property screeners, including requiring criminal history records checks. It requires the FAA to facilitate quick deployment of commercially available explosive detection equipment. It contains a sense of the Senate on the development of effective passenger profiling programs. It requires the NTSB and the FAA to work together to develop a system to classify aircraft accident and safety data maintained by the National Transportation Safety Board and publish such data. The American public deserves to know what the safety record is of the airline that they fly on. That is part of this bill.

It requires all air carriers and airports to conduct periodic vulnerability assessments of security systems. It requires the FAA and the FBI to carry out a joint threat and vulnerability assessments every 3 years. It authorizes airports to use project grant money and passenger facility charges for airport security programs. It requires the FAA to study and report to Congress on whether certain air carrier security responsibilities should be transferred to or shared with airports or the Federal Government. This is just a few of the many safety and security related items that this legislation does.

I do not think there is anybody who believes that the present airport security procedures are adequate. That is not a conclusion that I reach; it is the conclusion that every outside aviation expert makes. There have been many hearings in the House and the Senate regarding this. Mr. President, we have to move forward with these critical safety and security provisions now.

Who should be responsible for airport security? I think it is very clear that it should not be the airlines. The bill requires the National Transportation Safety Board to take action to help families of victims following commercial aircraft accidents, as I pointed out earlier. How can anyone in this body wish to stop this legislation from going forward.

Let me just read, since we are talking about labor unions, since that is what is holding up this bill. I have a letter which was addressed to me from the National Air Traffic Controllers Association, which is a member of the AFL-CIO.

DEAR MR. CHAIRMAN: The National Air Traffic Controllers Association (NATCA) supports the personnel reform language contained within. * * * The Air Traffic Control system continues to crumble and the safety of the system is in the balance. Your bill provides the funding stream necessary to modernize the system that is need of repair.

[This bill] provides for continuation of collective bargaining agreements, representational status for NATCA and other unions and provides for the duty to bargain in good faith. Your bill allows the employees who will have to live and work under the new system the ability to develop the system. Thank you for drafting a bill which will provide the necessary reform to modernize the FAA and make it more responsive to the users.

Signed by Mike McNally, the executive vice president of the National Air Traffic Controllers Association.

This flies in the face of what some segments of organized labor are trying to do today in derailing this critical aviation legislation. I was pleased to have the opportunity of working with the National Air Traffic Controllers Association and those dedicated and outstanding men and women who sometimes operate under conditions of the most severe stress imaginable.

Here is a letter from the National Transportation Safety Board to Chairman PRESSLER. I will not read the whole letter. I ask unanimous consent that the letter, and the previous letter from the National Air Traffic Controllers Association, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL AIR TRAFFIC
CONTROLLERS
ASSOCIATION MEBA/AFL-CIO,
Washington, DC, November 9, 1995.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The National Air Traffic Controllers Association (NATCA) supports the personnel reform language contained within S. 1239. The association believes that providing the exclusive bargaining representatives with full bargaining rights over the development of a new personnel system provides a fair platform that will benefit the agency, the employees and ultimately the users of the air traffic control system.

We are aware of other efforts in substitution of S. 1239 and fear that these attempts, with all good intentions, may further delay FAA Reform that is desperately

needed at this time. The Air Traffic Control system continues to crumble and the safety of the system is in the balance. Your bill provides the funding stream necessary to modernize the system that is in need of repair. We will be working with hope that S. 1239 succeeds the mark up and are encouraging the committee members to assist in this endeavor.

NATCA applauds your efforts to reform the air traffic control system. It has been a long in coming and it took your leadership to finally make it a reality.

Your bill provides the flexibility the FAA needs to meet the demands of the 21st century while protecting the interests of the men and women who operate the air traffic control system. Union support provides for continuation of collective bargaining agreements, representational status for NATCA and other unions and provides for the duty to bargain in good faith. Your bill allows the employees who will have to live and work under the new system the ability to develop the system.

Thank you for drafting a bill which will provide the necessary reform to modernize the FAA and make it more responsive to the users.

Respectfully,

MIKE McNALLY,
Executive Vice President.

NATIONAL TRANSPORTATION SAFETY
BOARD,

Washington, DC, November 8, 1995.

Hon. LARRY PRESSLER,
*Chairman, Committee on Commerce, Science,
and Transportation, U.S. Senate, Washing-
ton, DC.*

DEAR CHAIRMAN PRESSLER: It is my understanding that tomorrow the Senate Committee on Commerce, Science, and Transportation will mark up S. 1239, the Air Traffic Management System Performance Improvement Act of 1995. Although the full Board has not taken a position on this legislation, I did want to share my personal views with you.

As Chairman of the National Transportation Safety Board, I see on a daily basis the immense job the Federal Aviation Administration has to accomplish. The competition for funds during a period of tighter federal budgets, the need to anticipate and justify future staffing requirements annually, and the protracted process for procurement of new equipment, are all factors that can degrade efficiency and affect the ability of the system to respond to new demands and new technology. I believe the reforms in S. 1239 remedy this deficiency, without taking the aviation trust fund off budget, and I hope the Commerce Committee will fully support this bill.

Many of the safety enhancing actions identified by the Board in the past have required research, development, procurement and installation programs that span several years. Examples are Terminal Doppler Weather Radar, Airborne Collision Avoidance Systems, airport surface surveillance and conflict detection equipment. Many of these programs have experienced development and installation schedule slippages. So, too, has the FAA's air traffic control system modernization programs. It is difficult for the Board to determine the role of budget planning in these slippages; however, it is obvious that the need to justify budgets and establish priorities during this period when the Federal government must tighten budgets could have an impact on significant safety programs. This bill would ensure the continuation of that funding in a fiscally responsible manner.

Mr. Chairman, we take great pride that America's aviation industry is the safest in

the World. Without a predictable source of funds, there is the potential that new safety-related technical systems may be delayed, degrading that safety. The FAA, the agency responsible for the implementation and administration of these systems, believes that this bill will greatly improve the prospects for the acquisition of these critically important safety systems. I concur in their judgement on this matter.

Sincerely,

JIM HALL,
Chairman.

Mr. McCAIN. I want to repeat what the National Transportation Safety Board is saying about this legislation, so the opponents, the ones who are trying to hold up this bill and perhaps derail it, understand what is at stake here. I want to repeat it so it is perfectly clear to my colleagues and to the American public who want this legislation to move forward.

I quote from the letter to chairman PRESSLER from the National Transportation Safety Board:

Without a predictable source of funds, there is the potential that new safety-related technical systems may be delayed, degrading that safety. The FAA, the agency responsible for the implementation and administration of these systems, believes that this bill will greatly improve the prospects for the acquisition of these critically important safety systems. I concur in their judgement on this matter.

Signed by J. Hall, the Chairman of the National Transportation Safety Board.

I am not supporting this bill because I put in 2 years of hard work with Senator FORD, Senator HOLLINGS, Senator PRESSLER, Senator STEVENS, Linda Daschle, David Hinson, Secretary Peña, Jim Hall, the National Air Traffic Controllers Association, the Air Transport Association, the Air Freight Association, and people like my friend from North Dakota, Senator DORGAN, who has played such a key and important role in ensuring not only airline safety but also the access to airline service in smaller States. Few have been a stronger supporter of the Essential Air Service Program which remains a lifeline for many small communities. This bill has the funding tools in place that will be vital for financing this program in the future.

I am not talking about all that. I have worked on other issues that took a long period of time and have failed. That has been sort of one of the difficulties I have had around here from time to time.

What I am talking about is the safety and security of all Americans. If the Senator from Massachusetts, who I am sorry is not here on the floor, wants to lead the opposition, then the American people should know whose responsibility it is that we do not pass this legislation. What a small minority finds objectionable is a correction, a technical correction, to a drafting error which was contained in the Interstate Commerce Commission Termination Act of 1995 that was passed, that everybody recognized was written incorrectly. That is what we are talking about

here. If we do not pass this legislation and get it done soon—in fact, by midnight tonight, in less than 14 hours—then critical funding will be cut off to airports across the country and our national air transportation system will expire. And I fear, frankly, for what can happen in the future and, frankly, I do not want to have that responsibility.

Finally, I will probably be back on the floor on this issue. I strongly urge my colleague from Illinois, for whom I have the greatest respect and affection, I strongly urge my other colleagues to understand what is at stake here and for us to get this legislation done as quickly as possible and not worry about a small technical correction to a drafting error that is all that is involved here.

So, I will be back—I hope not to be back on this issue. But I, like my colleague from Alaska, do not intend to allow the Senate to go out of session until we have this issue resolved, and will use every parliamentary method available to me to make sure that we address this bill and pass it.

I have had a conversation with the distinguished majority leader on this issue. I know he shares my view of the importance and criticality of this legislation. I hold every hope and aspiration that we will have this issue resolved as quickly as possible.

Again, expressing my deep appreciation to all of the individuals, all of the different entities that have been involved in shaping this legislation that took us over two years, I am not about to see it derailed at this point because of a minor objection that really has very little, if any, relevance to the importance of the bill.

I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent to address the Senate for 3 minutes, to be followed by the Senator from North Dakota for 30 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mrs. BOXER. Thank you very much, Madam President.

STILL TIME TO PASS BILLS

Mrs. BOXER. Madam President, as we can all see from the conversation that has been going on here for the last hour, we still have additional business pending before the Senate. We certainly must pass the FAA bill, and I am hopeful we can do so, while resolving the one controversial area that remains. We heard the Senator from Alaska, Senator STEVENS, say the House is out of session, implying that they couldn't act if the legislation was stripped of the controversial piece. We heard the Senator from Illinois say, "Untrue, the House is still there, they